

ADMINISTRATIVE - INTERNAL USE ONLY

13 FEB 1978

OIC- 78-0714
DDA Logistics

MEMORANDUM FOR: Office of Legislative Counsel

ATTENTION:

[REDACTED]

STAT

VIA:

Director of Logistics

FROM:

[REDACTED]

STAT

Chief, Procurement Management Staff
Office of Logistics

SUBJECT: Contract Disputes Act of 1977

- REFERENCES:
- (a) H.R. 4713, same subject
 - (b) H.R. 3745, same subject
 - (c) H.R. 9975, same subject
 - (d) S.2292, same subject
 - (e) H.R. 4793, same subject

1. Procurement Management Staff, Office of Logistics, has reviewed the Bills referenced above and offers the following comments and observations:

a. H.R. 4713 is considered to be the best of the referenced group. It provides for going to a board of contract appeals in an attempt to resolve any contract dispute prior to going to the Court of Claims.

b. H.R. 3745, H.R. 9975, S.2292 and H.R. 4793 are not considered to be acceptable as presented. They provide for an inordinate length of time to make an appeal of a board of contract appeals decision (12 months). Additionally, they provide for the contractor, at his discretion, to go directly to the Court of Claims without first going to a board of contract appeals and exhausting the administrative remedies available to the parties.

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STAT 2. After reviewing all of the above Bills, Procurement Management Staff recommends that the Office of Legislative Counsel (OLC) oppose any "Contract Disputes" legislation that contains a provision for an appeal procedure which exceeds ninety (90) days and which would allow a contractor to go directly to the Court of Claims without first exhausting the administrative remedies available through a board of contract appeals.

STAT 3. All of the above comments have been telephonically communicated to [REDACTED] OLC. Further inquiries on this matter may be made to [REDACTED]

STAT [REDACTED] STAT
[REDACTED]
cc: A-DDA

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